

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14451, of Boys and Girls Clubs of Greater Washington, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.41 to establish a child development center, 17 children in the R-1-B District at premises 3265 S Street, N.W., (Square 1299, Lot 964).

HEARING DATE: July 9, 1986

DECISION DATE: July 9, 1986 (Bench Decision)

FINDINGS OF FACT:

1. The site, known as premises 3265 S Street, N.W., is located on the north side of S Street between Wisconsin Avenue, and 32nd Street. The site is in an R-1-B District.
2. The site has a frontage of 125.63 feet along S Street. It is bordered on the west by the rear of commercial lots which front on Wisconsin Avenue and are zoned C-2-A and C-1. It is bordered on the north by a large Safeway store in the C-1 zone. It is bordered on the east by Dumbarton Oaks Park and the Dumbarton Oaks gardens and library. Across S Street to the south are single family dwellings in the R-1-B District.
3. The existing site is used as a boys and girls club, largely devoted to recreational purposes. The site is improved with a two-story brick building, swimming pool and large and varied athletic playing fields.
4. BZA Order No. 13634, dated April 14, 1982, approved a child development center for the site for 40 children for a period of four years.
5. Pursuant to Sub-section 8207.2 the applicant seeks a special exception under Paragraph 3101.41 to establish a child development center for 17 children at the site.
6. The proposed center will be operated by the Georgetown Cooperative Nursery.
7. The hours of operation shall be Monday through Friday, 9:00 A.M. to 12:00 noon, September through June.

8. The center will operate in the multi-purpose room of the Boys and Girls Club. There will be no meals served. There will be no naps taken.

9. A professional teacher/director assisted by a teaching assistant and one parent will staff the program.

10. These facilities have received a pre-inspection from the Day Care Licensing Branch of the D.C. Department of Consumer and Regulatory Affairs. The applicant will comply with all code and licensing requirements.

11. The property has a long driveway and maneuvering area off of S Street. This is sufficient space on-site to accommodate all parking and drop-off needs. The additional traffic generated by the center will be minimal.

12. The center will reserve three rental parking spaces from the Boys and Girls Clubs.

13. The building and outdoor play area are well removed from any adjoining residences. The building is set back approximately 300 feet from S Street. The site is further screened from residential uses by landscaping.

14. There is only one other licensed day care center within one-half mile of the subject site.

15. By memorandum dated July 1, 1986, the Office of Planning (OP) recommended approval of the application. The OP noted that there are ample facilities -- (classroom, open space, drop-off area, and parking) available to the proposed center on the subject site. The use is not expected to create any objectionable impacts on surrounding residential properties as it is well buffered by distance and landscaping. The Board concurs with the reasoning and recommendation of the OP.

16. By letter dated April 11, 1986, Advisory Neighborhood Commission (ANC) 3B reported that it voted to recommend approval of the application stating that it wished to keep this valuable neighborhood program in the community.

17. By letter dated May 8, 1986, ANC 2E, the ANC adjacent to the site, reported that it voted to support the application stating that the Jellef Boys Club is unusually well-suited for housing the center in terms of on-site parking and drop-off areas, open recreation spaces, physical plant and separation from surrounding single-family homes. Additionally, the Co-op will operate during hours that are the slow times for the Boys Club.

18. A neighbor of the site submitted a letter to the record in support of the application.

19. There was no opposition to the application at the public hearing or of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception. In order to be granted such an exception, the applicant must demonstrate that it has complied with the requirements of Paragraph 3101.41 and Sub-section 8207.2 of the Zoning Regulations. Sub-section 3101.41 permits a child development center provided that:

- a. The center shall be capable of meeting all applicable code and licensing requirements.
- b. The center shall be so located and designed as to create no objectionable traffic condition and no unsafe condition for picking-up and dropping-off children.
- c. The center shall provide sufficient off-street parking spaces to meet the reasonable needs of teachers, other employees and visitors.
- d. The center, including any outdoor play space provided, is so located and designed that there will be no objectionable impacts on adjacent or nearby properties due to noise, activity, visual or other objectionable conditions. The Board may require such special treatment in the way of design, screening of buildings, planting and parking areas, signs or other requirements as it shall deem necessary to protect adjacent and nearby properties.
- e. Any off-street play area shall be located so as not to result in endangerment to the individuals in attendance at the center in traveling between such play area and the center itself.
- f. The Board may approve more than one child development center in a square or within 1,000 feet of another child development center only when the Board finds that the cumulative effect of these facilities will not have an adverse impact on the neighborhood due to traffic, noise operations or other similar factors.
- g. Before taking final action on an application for such use, the Board shall submit the application to the D.C. Department of Human Services, D.C. Department of Transportation and the D.C. Office of Planning and Development for review and written

reports. The referral to the D.C. Department of Human Services shall request advice as to whether the proposed center can meet all licensing requirements set forth in the applicable laws of the District of Columbia.

The center will be capable of meeting all applicable code and licensing requirements. No objectionable traffic conditions will result. Ample off-street parking shall be provided. The site is so large and so located that the center will have no objectionable impacts on adjacent or nearby properties due to noise, activity, visual or other objectionable conditions. There is sufficient play area on site. There will be no cumulative effects of other centers on the neighborhood due to traffic, noise, operations or other similar factors.

The Board further concludes that the special exception can be granted as in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property in accordance with said regulations and maps. The Board finds that it has afforded the ANC the "great weight" to which it is entitled.

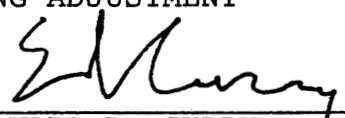
It is therefore ORDERED that the application is GRANTED, SUBJECT to the following CONDITIONS:

1. The maximum student enrollment shall not exceed 17.
1. The hours of operation shall be limited to 9:00 A.M. to 12:00 noon, Monday through Friday.
3. The program shall operate from September through the first week of June.
4. Three rental parking spaces shall be designated as available for use by the child development center.
5. Approval shall be for a period of five years from the date of the final order.

VOTE: 5-0 (Patricia N. Mathews, Paula L. Jewell, Charles R. Norris, William F. McIntosh and Carrie L. Thornhill to grant.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
EDWARD L. CURRY  
Acting Executive Director

FINAL DATE OF ORDER: AUG 7 1986

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.